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*Attorneys for Defendant Alorica, Inc.*

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEVADA**

ERIC BLANKENSHIP and CHRIS KAHL, on  
behalf of themselves and all others similarly  
situated,

Plaintiffs,

vs.

ALORICA, INC., AND DOES 1 through 50,  
inclusive,

Defendants.

**CASE NO.:**

**NOTICE OF REMOVAL**

Defendant Alorica, Inc. ("Alorica") files this Notice of Removal pursuant to 28 U.S.C.  
§§ 1441 and 1446 and hereby removes this civil action from the Second Judicial District Court of

1 the State of Nevada (County of Washoe) to the United States District Court for the District of  
2 Nevada. The grounds in support of this Notice of Removal are as follows:

3 On May 16, 2018, Alorica was served with the formal Summons and Collective and  
4 Class Action Complaint in the state-court action styled *Eric Blakenship* [sic] *and Chris Kahl, on*  
5 *behalf of themselves and all others similarly situated v. Alorica, Inc. and Does 1 through 50,*  
6 *inclusive*, Case No. CV18-00825, Second Judicial District Court of the State of Nevada in and  
7 for the County of Washoe (“the State Court Action”). Plaintiffs’ Summons, Collective and Class  
8 Action Complaint, and Demand for Jury Trial are attached hereto as **Exhibits A-C** and constitute  
9 all process, pleadings, or orders served on Defendant in the State Court Action.  
10

11 This Notice of Removal is timely because it is being filed within thirty days after Alorica  
12 was served with the Summons and Complaint. *See* 28 U.S.C. § 1446(b). As noted above,  
13 Alorica was served by personal service on its registered agent on May 16, 2018.  
14

15 The State Court Action is properly removable to the United States District Court because  
16 this Court has original jurisdiction over the action. *See* 28 U.S.C. § 1441(a). The Complaint  
17 alleges both federal and state causes of action for unpaid wages. Pursuant to 28 U.S.C. § 1331,  
18 this Court has federal-question subject-matter jurisdiction over the Complaint’s causes of action  
19 under the federal Fair Labor Standards Act (29 U.S.C. § 201 *et seq.*). Pursuant to  
20 28 U.S.C. § 1367, this Court has supplemental subject-matter jurisdiction over the Complaint’s  
21 corresponding Nevada state claims, all of which allege unpaid wages under the same or similar  
22 circumstances and thus arise out of a “common nucleus of operative fact” with the federal  
23 claims. *Bahrampour v. Lampert*, 356 F.3d 969, 978 (9th Cir. 2004); *see also Salim Shahriar v.*  
24 *Smith & Wollensky Rest. Group, Inc.*, 659 F.3d 234, 245 (2d Cir. 2011) (holding that FLSA and  
25 state-law wage and hour claims arise out of same operative facts and affirming district court’s  
26  
27  
28

1 finding of supplemental jurisdiction). In particular, the Complaint advances the same allegations  
2 of off-the-clock work in support of both its FLSA claim and its Nevada claims. *Compare*  
3 Complaint ¶ 26 (FLSA claim), *with id.* ¶¶ 37, 42, 49, 57 (Nevada claims).

4 Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391.

5 Upon the filing of this Notice of Removal, Defendant will give written notice to Plaintiffs  
6 and will file a copy of this Notice of Removal, along with the requisite notice thereof, with the  
7 Clerk of the District Court of Washoe County, Nevada, with service upon the Plaintiff.

8 By filing this Notice of Removal, Defendant is not waiving any defenses that may be  
9 available to it and specifically reserves the right to raise all such defenses, including any defects  
10 in personal jurisdiction or the right to compel arbitration.

11 This Notice of Removal is executed pursuant to Rule 11 of the Federal Rules of Civil  
12 Procedure.

13 Dated this 5th day of June, 2018.

14  
15 OGLETREE, DEAKINS, NASH, SMOAK  
16 & STEWART, P.C.

17  
18 /s/ Anthony L. Martin

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*Attorneys for Defendant Alorica, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically transmitted the foregoing **NOTICE OF REMOVAL** to the Clerk's Office using the CM/ECF system for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Mark R. Thierman  
Joshua D. Buck  
Leal L. Jones

Pursuant to Fed. R. Civ. P. 5(b), I certify further certify that service of the foregoing **NOTICE OF REMOVAL** was also made this date by depositing a true and correct copy of same for mailing, first class mail, postage prepaid thereon, at Las Vegas, Nevada, addressed to the following:

Mark R. Thierman  
Joshua D. Buck  
Leah L. Jones  
THIERMAN BUCK LLP  
7287 Lakeside Drive  
Reno, Nevada 89511  
*Attorneys for Plaintiffs*

Dated this 5th day of June, 2018.

/s/ Darhyl Kerr  
An Employee of Ogletree, Deakins, Nash,  
Smoak & Stewart, P.C.

**INDEX OF EXHIBITS**

EXHIBIT A

Summons

EXHIBIT B

Collective and Class Action Complaint

EXHIBIT C

Demand for Jury Trial

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